

DECLARATION AND PETITION

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled, "Treatments for Snoring Using Injectable Neuromuscular Stimulators," the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

We hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Number	Country	Filing Date	Priority Claimed?
NONE			

PRIOR UNITED STATES APPLICATION(S)

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
NONE		

PRIOR UNITED STATES PROVISIONAL APPLICATION(S)

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date	Status
60/440,175	January 15, 2003	Provisional

We hereby declare: All statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe our names to the foregoing specification and claims, declaration, and this petition.

Full name of first inventor David C. Gordon

Inventor's signature

David C. Gordon

Date

1/15/04

Residence: Grand Forks, North Dakota

Citizenship: United States of America

Post Office Address 2203 South 38th Street

Grand Forks, ND 58201

Full name of second inventor Gerald E. Loeb, M.D.

Inventor's signature

Date

Residence: South Pasadena, California

Citizenship: United States of America

Post Office Address 1642 Camino Lindo

South Pasadena, California 91030

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Docket No. 64093-087

Wherefore we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe our names to the foregoing specification and claims, declaration, and this petition.

Full name of first inventor David C. Gordon


Inventor's signature _____ Date _____

Residence: Grand Forks, North Dakota

Citizenship: United States of America

Post Office Address 2203 South 38th Street
Grand Forks, ND 58201

Full name of second inventor Gerald E. Loeb, M.D.

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